

Amendments to the Drawings

An amendment in accordance with 37 CFR. § 1.121(d) is hereby made to the drawings. Specifically, new FIGS. 12-15 are added. Each of FIGS. 12-15 includes color reproductions of four color photographs that were submitted with and formed a part of the disclosure of provisional patent application serial number 60/451,433, from which provisional application priority is claimed and which disclosure thereof was incorporated by reference in the present application as originally filed. A petition under Rule 84 is submitted concurrently herewith seeking acceptance of the color photographs as drawings. Three sets of FIGS. 12-15 comprising these color photographs is submitted herewith for consideration with the petition.

REMARKS

In response to the Office Action of May 11, 2005, Applicant files this Rule 111 Amendment. In accordance with 37 CFR § 1.121(f), Applicant submits that the amendments made herein introduce no new matter into the application. After the amendments herein, claims 42, 43, 44, 47, 50-53, 55-64, 67, 70, 73-78 are presented for examination. Of these, claims 42, 44, 47, 50, 51, 67, 70, 73, 74, 77, and 78 are independent. Applicant requests reconsideration of the present application in view of the foregoing amendments, the personal interview that was held, and the following remarks.

I. Record of Personal Interview

Pursuant to 37 CFR § 1.133(b), the following description is a complete written statement of the reasons presented at the interview as warranting favorable action. The following statement is intended to comply with the requirements of MPEP § 713.04 and expressly sets forth: (A) a brief description of the nature of any exhibit shown or any demonstration conducted; (B) identification of the claims discussed; (C) identification of specific prior art discussed; (D) identification of the principal proposed amendments of a substantive nature discussed; (E) the general thrust of the principal arguments; (F) a general indication of any other pertinent matters; and (G) the general results or outcome of the interview, if appropriate.

A personal interview was held with Examiners Keshia Gibson and Larry Schwartz on May 23, 2005. Chad Tillman and Todd Stancombe attended the interview on behalf of Diaperoos, LLC, the assignee of the current application, which is the applicant.

During the interview, samples of vacuum-packed diapers were shown. A proposed declaration under Rule 131 also was presented and discussed, and the Examiners indicated that the declaration would be effective in swearing behind the cited reference to Kellenberger et al. U.S. Patent Appl. Publ. No. 2004/0167489 A1 (“*Kellenberger*”), which reference formed the principal reference of the rejection of the claims in the Office Action.

Objections set forth in the Office Action also were discussed during the interview. First discussed was the new matter objection to the paragraph describing vacuum-packing. Applicant submitted that the paragraph did not introduce new matter and pointed to the specific portions of

the provisional filing that supported Applicant's position. The support in the provisional that is relied upon by Applicant is set forth in detail below.

Applicant also presented a proposed petition under Rule 84 to admit color photographs from the provisional application as figures 12-15 in the present application. These color photographs were submitted with the provisional patent application as filed, which provisional application represents the priority application and which provisional application was incorporated herein by reference at the time of filing of the present application. Applicant submitted that only by allowance of the color photographs into the present application could the disclosure of the provisional application (and hence the disclosure of the nonprovisional application) be fully and accurately identified in the office records. Applicant further pointed out that the disclosure of these color photographs supports the description of the vacuum-packing process added to the present application, which disclosure was objected to by the Examiner as being new matter. Applicant also remarked that the color photographs are critical to claim 76, newly presented, which recites "printed graphics on said diaper are viewable through said encasement." Only the incorporated color photographs of the provisional disclosed this feature at the time of filing of the present application. The Examiners indicated that the draft petition should be filed by Applicant and that the petition would be given further consideration.

Secondly, the new matter objection was discussed during the interview with regard to the correction of various references in the application to a "reduced density" of the diaper upon reduction in volume of the diaper. Applicant proposed amending the portions to which the objection was made and Applicant submitted that the proposed amendments overcame this new matter objection raised by the Examiners. These proposed amendments are made herein.

The rejection of the claims under § 112, ¶ 1 also was discussed. Applicant proposed amending the specification to change "Mbar" to "mbar." Applicant further noted that this correction would not constitute new matter because this is an obvious error to one having ordinary skill in the art based on the fact that the vacuum-packed diaper is compressed and not expanded. See, e.g., *In re Oda*, 443 F.2d 1200, 170 USPQ 268 (CCPA 1971) (amendment to correct obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of the error in the specification, but also the appropriate correction).

Applicant further agreed to cancel all recitations that the pressure is “less than 20 millibars” and “less than 10 millibars.”

The rejection of the claims under § 112, ¶ 2 was discussed during the interview.

Applicant proposed amending the relevant claims from “on the order of” to “on the order of magnitude of,” and Applicant noted that the phrase “on the order of magnitude” is a well defined term that can be found in Merriam-Webster’s Collegiate Dictionary. Applicant further submitted that this phrase would not constitute new matter because one having ordinary skill in the art would recognize that the recited pressure ranges of about 1 or 2 millibars to about 5 millibars is “on the order of magnitude of a millibar.”

Finally, the Examiners identified Japanese Reference JP 10-95481 to Narawa et al. (“*Narawa*”) and requested Applicant to comment on the disclosure thereof as it relates, if at all, to vacuum-packed diapers. Applicant was not prepared to respond at the interview to this request, and Applicant indicated that *Narawa* would be addressed in the formal response to the Office Action.

In the event that the foregoing record is not considered complete and accurate, the Examiner is respectfully requested to bring any incompleteness or inaccuracy to the attention of the undersigned. Indeed, if Applicant has misunderstood the Examiner’s position, Applicant respectfully requests appropriate clarification of the Examiner’s position in the next Office Action.

Turning now to the Office Action, Applicant formally responds to each issue raised therein as follows.

II. The Objections to the Specification

A. Antecedent Support for “Intermediate Volume”

The Office Action objects to the specification for failing to provide antecedent support for the phrase “intermediate volume” found in each of claims 48 and 71. In response, Applicant has canceled these claims.

B. New Matter Objections

Two objections are set forth in the Office Action based on new matter. The first objection relates to the paragraph found at page 9, lines 2-17, and added by the Amendment dated March 4, 2005, and the identification of the support for this paragraph is requested.

Applicant respectfully responds that this paragraph describes *the process for vacuum-sealing an article* as would be implicitly disclosed and understood to and known by one having ordinary skill in the art from viewing the “SuperVac” vacuum-sealing machine that is shown in the photographs of the incorporated provisional application and, in particular, those photographs labeled Photo #12, Photo #13, Photo #14, Photo #15, and Photo #16. This specific knowledge of *the process for vacuum-sealing an article*¹ is revealed by the description for vacuum-sealing an article set forth in ¶ 52 of the *Kellenberger* patent publication, which states:

Schematically shown in FIG. 10 is **one method and apparatus 157 of packaging an article**. In this example, a first reel 158 has sheet material 159 which is rotatably supported on a bed 160 having a vacuum cavity former 162 provided where the article 10 is disposed. Articles 10, such as, for example, the diaper 20 folded as illustrated in FIG. 7, are provided at a loading station 164 and they are disposed on the sheet material 159 over the cavity former 162. **The articles 10 are carried to a packaging station 165 which has a vacuum chamber (not shown).** The packaging station 165 also contains film (not shown) and a sealing apparatus (not shown) for sealing the articles 10 in the cavities while they are in the vacuum chamber. The articles 10 in the forming cavities 162 are carried into the packaging station 165 and the chamber is closed. A vacuum is applied to the articles 10 and the cavities 162, and film is then positioned and sealed over each cavity via sealing devices, such as thermal sealing, ultrasonic bonding, or any other sealing methods known by those skilled in the art. **The vacuum depressurizes the chamber in the packaging station to a pressure which is less than the atmospheric pressure outside of the chamber.** After the package is sealed, the vacuum is removed from the chamber, and the chamber and the articles sealed in packages therein are permitted to return to regular atmospheric pressure, which results in **compression of the articles in the packages**, providing a soft package (form-fill-seal) which is formed about the article 10. The packaged article 190 may thereafter be removed (not shown).

¹ *Kellenberger* is cited here as evidencing that the process itself for vacuum-packing *an article* using a vacuum-packing machine is well known, and Applicant does not imply nor in any way suggest that vacuum-packing *a diaper* was known or was obvious in view of the knowledge of the general process of vacuum-packing.

As shown in bold, which emphasis has been added herein, the disclosure of this paragraph of *Kellenberger* substantially mirrors that of the paragraph at issue in the present application.

Additionally, support for the vacuum packing process as disclosed by the paragraph at issue in the present application can be found in the written disclosure of the provisional application, in which vacuum-packing of a diaper is described. Specifically, the provisional application states, in relevant part:

Having folded diaper 28 compressed, folded diaper 28 is inserted into an open end 40 of a pliable resilient bag 42 ...Folded diaper 28, fully inserted into the bag 42 (Picture #12), is then placed into a vacuum sealing machine 44's deck 46 (Picture #13, 14, 15)....The lid 48 (Picture #15) is fastened down and the vacuum sealing machine 44 vacuums seals and cuts the bag 42 as a finished product 50 (Picture #1)"

The provisional also makes clear that the vacuum-sealing machine miniaturizes the diaper. *See* page 1 ("vacuum sealing means for further miniaturizing of the diaper within the plastic bag"; "The finished product is condensed down"). Applicant submits that this written description of the process for vacuum-packing a diaper generically supports the general description of the process of vacuum-packing an article as disclosed by the paragraph at issue, and that, therefore, the addition of this paragraph to the present application does not introduce new matter.

The second objection set forth in the Office Action based on new matter relates to Applicant's correction of the obvious error made in describing the vacuum-packed diaper as having a "reduced" density when, obviously, the vacuum-packed diaper would have an increased density and reduced volume when vacuum-packed. Applicant believes that objection has been made to the form of the correction, i.e., Applicant's reference to volume rather than density. Accordingly, Applicant has amended the two paragraphs at issue to remove the discussion in terms of volume and to reinsert the discussion in terms of density, with the correction that the vacuum-packed diaper includes an increased density rather than a "reduced" density.

III. Claim Rejections under § 112, ¶ 1

Claims 45-47 and 68-70 stand rejected under § 112, ¶ 1 for lack of enablement. The claims rejected recite pressures at less than 20 millibars, less than 10 millibars, and between 5 and 1 millibars. This is in contrast to the specification, which recites:

As an example, it has been found that by drawing a vacuum down to about 5 Mbar at room temperature and pressure at a location about 5,000 feet elevation above mean sea level, the volume of the diaper can be reduced to as little as 1/3 or 1/4 that of the nominal volume. Similar results are to be expected at locations of different elevation. However, as is known, at lower elevations a greater vacuum can be drawn to allow for subsequent transportation of the packaged product to higher elevations. For example, vacuum packaging using a vacuum down to 1 or 2 Mbar is common at lower elevations. Thus, in the space required to store one conventional diaper, three, four, or more, diapers packaged in accordance with the invention can be stored. The reduced volume packaged diapers are not only advantageous in reducing storage space, the space required for packaging, shipping, etc., is also reduced, leading to considerable cost savings in associated processes.

The basis of the rejection of these claims is the use of the capital letter "M" in the units of bars shown in this paragraph. According to the Office Action, "Mbar" means "megabars," which is 1,000 atmospheres, and that, therefore, claims reciting pressures of 1,000 times less than atmosphere are not enabled.

Applicant responds that the use of "Mbar" instead of "mbar" in the specification clearly is an obvious error to one of ordinary skill in the art, and that "mbar" would be understood to one of ordinary skill in the art as being the appropriate unit discussed. Indeed, one of ordinary skill in the art would recognize that it would be nonsensical to recite "drawing a vacuum down to about 5,000 atmospheres at room temperature and pressure at a location of about 5,000 feet elevation above mean sea level," and that what is meant is "drawing a vacuum down to about 5,000 atmospheres at room temperature and pressure at a location of about 5,000 feet elevation above mean sea level." In view of this clear error, Applicant has amended this paragraph of the specification to change "Mbar" to "millibars." Applicant further has canceled claims reciting that the pressure is less than 20 mbars and that the pressure is less than 10 mbars. Accordingly, Applicant submits that this rejection is thereby overcome.

IV. Claim Rejections under § 112, ¶ 2

Claims 43-44 and 66-67 stand rejected under § 112, ¶ 2 for indefiniteness stemming from the phrase "on the order of millibars." Applicant responds that what was intended to be recited was "on the order of magnitude of" and that "of magnitude" was inadvertently omitted when the claims were filed. Applicant further notes that the phrase "on the order of magnitude" is well

defined and submits that the range of 5 millibars to 1 or 2 millibars is mathematically deemed to be “on the order of magnitude of a millibar.” Accordingly, Applicant has amended claims to include “on the order of magnitude of a millibar.”

V. Claim Rejections under § 102(e) and §§102(e)/103 Based on *Kellenberger*

Claims 41-53 and 55-75 stand rejected as either being anticipated by or rendered obvious in view of *Kellenberger*. In response, Applicant submits the Declaration of Alan Kay Snell, the inventor, under Rule 131 in order to swear behind the *Kellenberger* reference.

The Snell Declaration is attached as Exhibit A to the Rule 84 petition.

As evidenced by the Snell Declaration, the invention of each claim had been reduced to practice prior to the filing date of February 14, 2003, of the *Kellenberger* reference. Without the *Kellenberger* reference, Applicant submits that the rejections of the claims under § 102(e) and §§102(e)/103 are overcome.

VI. The Disclosure of *Narawa*

During the interview, the Examiners referenced Japanese Reference JP 10-95481 to *Narawa* et al. (“*Narawa*”) and requested Applicant’s comment on the disclosure thereof as it relates, if at all, to vacuum-packed diapers. Subsequent thereto, *Narawa* was relied upon in continuing application serial no. 10/906,947 in rejecting claims to a diaper kit having a vacuum-packed diaper. In particular, *Narawa* was relied upon for disclosing or teaching a vacuum-packed diaper. An interview was held in the continuing application and proposed amendments to the claims were agreed to patentably define over the disclosure and teaching of *Narawa*.

In view of the foregoing, Applicant amends the claims herein to include the amendments from continuing application serial no. 10/906,947, and Applicant submits that the claims as amended patentably define over the references of record including *Narawa*. Applicant further comments on the present invention and the disclosure of *Narawa* as follows.

A. Vacuum-Packing and Vacuum-Sealing in Accordance with the Present Application

In accordance with the disclosure of the present application, the volumetrically reduced size of the diaper may be maintained, in whole or in part, with a pressure differential that acts

upon the encasement. This pressure differential that acts upon the encasement arises from the vacuum-sealing of the diaper within the encasement. The act of sealing of the diaper within the encasement, wherein the diaper exists within a partial vacuum at the time of sealing, is referred to as “vacuum-sealing” of the diaper. The act of vacuum-sealing of the diaper, taken in conjunction with the additional act of disposing the diaper within the encasement, is referred to as “vacuum-packing” of the diaper.

As discussed in detail below, *Narawa* fails to disclose or suggest vacuum-packing or vacuum-sealing of a diaper. Specifically, *Narawa* fails to disclose or suggest utilizing a pressure differential that acts upon the encasement in order to maintain a diaper in a volumetrically reduced size (i.e., compressed state). Indeed, *Narawa* explicitly discloses just the opposite; *Narawa* discloses that the packaging bag itself, which is fabricated about the compressed diaper, maintains the diaper in the compressed state with no additional pressure acting upon the bag. Furthermore, *Narawa* fails to disclose or suggest the necessity of airtight seals in forming the packaging bag. Instead, *Narawa* discloses and teaches the use of many types of seals, a plurality of which are not airtight. *Narawa* also discloses use of a material in forming the packaging bag that is not airtight.

B. The Disclosure of *Narawa*

Applicant submits concurrently herewith an Information Disclosure Statement for the full translation of *Narawa*, which translation Applicant recently has had prepared. The following remarks regarding the disclosure of *Narawa* are made with reference to this translation.

The invention of *Narawa* comprises the fabrication of a bag about a compressed diaper.² Furthermore, the bag is fabricated about the compressed diaper such that the bag *itself* maintains the diaper in the compressed state.³

² *Narawa*, ¶ 0010 (“This invention is about the packaging structure of the disposable diaper.”).

³ See, e.g., *Narawa*, PATENT DETAILS (“The packaging bag is fabricated so that it maintains its shape and compresses the diaper to keep the thickness of the diaper.”) (emphasis added); EXTENT OF CLAIMED PATENT (“The packaging bag is fabricated to maintain its shape so that it compresses the diaper to keep the thickness of the diaper, and this is the advantage of the packaging structure of the disposable diaper.”) (emphasis added); and ¶ 0010 (“The packaging bag is fabricated so that it maintains its shape and compresses the diaper to keep the thickness of the diaper”) (emphasis added).

Importantly, the fabricated bag maintains the diaper in the compressed state only as a result of the restraining force of the bag and not as a result of any pressure differential acting across the bag.⁴ Thus, *Narawa* fails to disclose or teach compression of the diaper as a result of a pressure differential acting across the bag. Instead, *Narawa* discloses that the compressed diaper is maintained in the compressed state as a result of the bag “with no additional pressure.”⁵

Narawa further fails to disclose or suggest that the sealing of the bag should comprise an air-tight seal or that the packaging bag should be made from an airtight material, both of which are necessary for enabling a pressure differential across the bag that will maintain a packaged diaper in its compressed state. Instead, *Narawa* discloses that the act of “sealing” may comprise non-airtight seals, such as those formed by adhesives and glue.⁶ *Narawa* also discloses that the sealing of the packaging bag may be performed by stitching, which is another form of seal that is not air-tight.⁷ *Narawa* also discloses a preferred use of polyethylene in forming the packaging bag, which material is not airtight. Because a pressure differential acting across the bag maintains a compressed state of a vacuum-packed or vacuum-sealed diaper, *Narawa* necessarily fails to disclose or suggest vacuum-sealing or vacuum-packing a diaper by disclosing that seals may not be air-tight.

⁴ *Narawa*, ¶ 0015 (“The aforementioned wrapping maintains its shape and compresses the diaper to keep the thickness of the diaper. Here the phrase, ‘maintains its shape and compresses the diaper to keep the thickness of the diaper,’ means that there is **no additional pressure.**”) (emphasis added); *see also* ¶ 0022 (“Furthermore, when disposable diaper 2 under individual package structure 1 with **no pressure** stays inside package 30, the thickness does not recover to the original size.”) (emphasis added).

⁵ *See id.*

⁶ *See, e.g., Narawa*, ¶ 0033 (“By placing aforementioned adhesive tape 35 or adding a **string or pre-coating with glue**, etc., the bag can be a size at which the bag can be bundled by itself, thus, it can be designed so that it is possible to **seal** the bag for disposal. Moreover, sealing of individual packaging bag 30 is not done by heat sealing, but can be done by welding such as impulse sealing, ultrasonic sealing or high frequency sealing, or by **sealing with an adhesive tape or pressure bonding.**”) (emphasis added).

⁷ *See Narawa*, ¶ 0033 (“For example, instead of placing aforementioned notch 36, sewing machine stitches and the like can be placed, and by adding a string, etc. used for opening the individual bag, it makes it easy to open. Here, in those cases, it is preferable that when opening the individual bag it should not tear in pieces which become garbage.”).

With particular regard to paragraphs 0024-0025, and with reference to Diagram 4, *Narawa* discusses the process for fabricating the bag with the compressed diaper contained therein. *Narawa* recites:

[0024] In order to process the product form of the individual package structure 1, as Diagram 4 indicates, after packaging disposable diaper 2 using wrapping material 3, press disposable diaper 2 with wrapping material 3 and seal inside or release the air on purpose while at the same time keeping the fixed position of wrapping material 3 to be sealed and perform the sealing process effectively. **In addition, except for the sealing process, there is no specific limitation on the manufacturing process of disposable diaper 2 in general.**

[0025] In more detail, **aforementioned sealing process is done as follows.** Put disposable diaper 2 in the middle of the two sided divided wrapping material 3 with center crease 31. Release the air inside of wrapping material 3 and disposable diaper 2 with pressure using press roll or press conveyor belt in the direction of the arrow on Diagram 4. At the same time, seal edges 32, 33, and 34 of wrapping material 3. This is how individual package 30 is formed. Furthermore, make pre-cut notch 36 with the usual method and attach adhesive tape 35. As Diagram 1 indicates, the first form of packaging structure 1 can be made. The definition of aforementioned fixed position which is sealed means the unsealed surrounding part which is edges 32, 33, and 34 excluding crease 31 in the product form.

(emphasis added).

The disclosure of *Narawa* is that the bag is fabricated around the diaper via sealing following its compression by the roller or conveyor. *Narawa* is clear that this necessarily happens because *Narawa* explicitly states that, “except for the sealing process, there is no specific limitation on the manufacturing process.”

Furthermore, during the sealing process as described in ¶ 0025, the air is released from the package prior to sealing. The released air is the excess air in the package that is expelled during compression. By sealing the bag following the release of the excess air, the package will not exhibit a “pillowing” effect similar to that often seen in potato chip bags.

Instead of completely sealing the packaging bag as described in ¶ 0025, Applicant submits that the packaging bag may not be completely sealed until a later time. The critical sealing that is accomplished is the sealing necessary to form the bag from the packaging material so as to maintain the state of compression of the diaper. Indeed, it is this maintenance of the

compressed state of the diaper by the bag that is the critical feature of *Narawa* that is repeatedly emphasized throughout the disclosure of *Narawa*. The final sealing of the bag then may be performed after the bag's fabrication; in this instance, excess air may be suctioned from the bag prior to the final sealing.

Applicant submits that such later sealing of the bag that has been fabricated about the compressed diaper is disclosed by *Narawa* at ¶ 0033, whereat *Narawa* states: "In addition, at the time of manufacturing of the individual packaging structure 1 of the present invention, instead of applying aforementioned pressure in order to release the air from the individual packaging bag, sealing may be done after suctioning the air from the individual **packaging bag** by using a suction pump, etc." (emphasis added). This statement discloses that the air is suctioned from the bag itself, which necessarily is fabricated about the compressed diaper after partial sealing of the packaging material in accordance with the invention of *Narawa*. After this sealing of the packaging material, an additional step later is performed of removing the excess air through suction prior to the final sealing, this final sealing being "done at predetermined places after the air is suctioned from the individual packaging."

Nowhere does *Narawa* disclose or suggest that a vacuum is created within the sealed package or that the packaged is sealed under vacuum. Indeed, removing excess air from a package, resulting in a decrease in the volume of the package, does not result in any vacuum being formed within the package. Thus, removing excess air is not analogous to vacuum-sealing or vacuum-packing of the diaper.

Additionally, in view of *Narawa*, the excess air that is removed may best be understood from the perspective that the package preferably is designed to receive the used diaper for disposal and, therefore, has an interior volume that is much greater than the compressed diaper in order to accommodate the used diaper. Removal of the excess air and sealing of the package having a lesser interior volume that approximates the compressed diaper simply provides for greater convenience in carrying and storing the compressed diaper prior to its use. Such removal does not result in a pressure differential acting upon the encasement to maintain the diaper in the volumetrically reduced size, as found in the vacuum-sealed and vacuum-packed diapers of the present application.

In support of Applicant's interpretation of the disclosure of *Narawa* as set forth above, Applicant submits concurrently herewith a Rule 132 Declaration by Mr. Richard Anderson whom Applicant submits represents one having ordinary skill in the packaging art.

VII. The Independent Claims As Amended

Independent claims 42, 44, 47, 50, 67, 70, 73, and 77 have been amended in conformance with the agreement reached during the personal interview in related, continuing application 10/906,947. In this regard, "compressible" has been amended to recite "compressed" where the diaper is described as being within the vacuum-sealed encasement in each of the independent claims. Additionally, recitations have been added to each of the independent claims that the sealed substantially air impermeable encasement completely encloses an interior space "with at least one airtight seal" and that the "interior space has at least a partial vacuum, whereby a pressure differential acts upon said encasement and said diaper to maintain said diaper in said compressed state, said encasement having been sealed after creation of at least a partial vacuum within said interior space of said encasement." Applicant submits that these independent claims as amended herein contain the limitations of the proposed claims discussed at the interview, which were found to patentably define over the references of record including *Narawa*, and that, therefore, these independent claims as amended herein also patentably define over the references of record including *Narawa*. With regard to independent claims 51, 74, 78, each of these claims now includes the feature of dependent claim 54 found in the Office Action to contain allowable subject matter. Claim 78 further includes the recitations above and found in the other independent claims. Applicant submits that these claims therefore are allowable.

VIII. The Dependent Claims

Because the independent claims are believed to stand in condition for allowance, Applicant submits that the dependent claims similarly are allowable. Applicant nevertheless respectfully submits that each of these dependent claims is allowable based on the additional recitation of such dependent claim, and Applicant requests consideration thereof as necessary. Applicant further does not acquiesce in the rejections of these dependent claims, but Applicant does not *per se* address each such rejection.

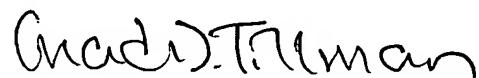
IX. Conclusion

Applicant submits that the rejections and objections set forth in the Office Action are overcome. Furthermore, Applicant notes and appreciates the extensive searching performed by the Examiner as reflected in the ten pages illustrating the Examiner's search strategy and results.

In view of the extensive searching that was performed, and in view of the comprehensive consideration given to the present application as reflected in the Office Action, Applicant submits that no applicable reference anticipates or renders obvious the inventions of the current claims, and Applicant submits that claims 42, 43, 44, 47, 50-53, 55-64, 67, 70, 73-78 now stand in condition for allowance. Applicant therefore respectfully requests the passing of the present application to issuance.

It is respectfully requested that the Examiner contact the undersigned if any further action is deemed necessary by the Examiner in order to facilitate prosecution of the present application, and if such further action may be accomplished through an Examiner's amendment.

Respectfully submitted,
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